

CITY OF BELMONT

PLANNING COMMISSION

SUMMARY MINUTES

TUESDAY, MAY 5, 2009, 7:00 PM

Chair Horton called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Horton, Mayer, Parsons, Frautschi, Mercer, Reed, Mathewson
Commissioners Absent: None

Staff Present: Community Development Director de Melo (CDD), Senior Planner DiDonato (SP), Associate Planner Walker (AP), City Attorney Zafferano (CA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS – None

3. COMMUNITY FORUM (Public Comments) – None

4. CONSENT CALENDAR

4A. Minutes of April 7, 2009

MOTION: By Commissioner Mercer, seconded by Commissioner Parsons, to accept the Minutes of Tuesday, April 7, 2009 as written.

Ayes: Mercer, Parsons, Mathewson, Reed, Frautschi, Mayer, Horton
Noes: None

Motion passed 7/0

5. OLD BUSINESS

5A. Carlmont Drive Townhomes – Final Landscape Plan Review

SP DiDonato summarized the staff memorandum and the Final Landscape Plan, recommending approval with the two additional conditions identified in the memorandum.

Responding to questions from the Commission, SP DiDonato stated that the Chanticleer Pear tree is deciduous, the paved terraces are made of pervious materials, and the 3 protected or regulated trees are being replaced with 11 trees.

Chair Horton determined that there was no one from the public wishing to speak on this item.

Chris Tigh, Landscape Architect, was available to answer questions. Responding to Commissioner Frautschi's questions, Mr. Tigh stated that: 1) There was no plant material along the sidewalk in front of Unit B because while revising its location they found that there was not quite a full 24' depth in back up space from the face of the garage to the outside edge of parking. Therefore, rather than have a 1' or less planting strip that would probably be driven over it was eliminated. 2) There is more space available on the Unit A side of the property. 3) He has persisted in keeping sod in his plan.

Moshe Dinar, project architect, added that they have been trying to get as much planting along the sidewalk as possible but since the site is triangular and requires a 15' side setback, the side dimension is the same as the front. He added that if the side had been considered a side yard they would have had plenty of space for a planting strip and that they have already reduced the depth of the units as much as possible.

Commissioner Frautschi asked if they had considered extending the bulb-out in front of unit B. Mr. Dinar responded that he was told not to take out any parking spaces and the Director of Public Works did not want the cars close to the entrance. SP DiDonato stated that it was a balancing act of trying to design a safe exit while reducing on-street parking as much as possible. Further study by the applicant's traffic engineer indicated that there would not be a significant parking impact from the project but there might be a significant circulation or traffic safety impact if the design of the bulb-out wasn't achieved. They could talk to the Director of Public Works about extending the bulb further towards the east. Mr. Dinar stated that he would accept any conditions of approval – they are ready to start construction in two weeks. He also suggested as a possibility that they could add a low concrete or stone curb that would be a visual signal that this is not a driveway. Mr. Tigh added that the suggestion of expanding the bulb-out would solve the safety issue as well as providing an opportunity to add to the screening planting.

Commissioner Parsons thought that they need to find a way to make it clear that the area being discussed is not a driveway. He would be in favor of extending the bulb-out so it would preclude that idea. He additionally suggested that the planting in front of each unit be broken with a sidewalk where the front doors are located in order to provide access for guests and delivery people.

Commissioner Reed concurred with Commissioner Parsons' suggestions.

Commissioner Frautschi stated that he really liked the Landscape Plan and felt that the project is one of the better projects he has seen in this area of the City. He personally would have preferred to see Oak trees instead of the sod, felt that the plan is a bit heavy on Nandina, and cautioned that the Pear trees need to be sprayed every 3 years to prevent black spots. He added the suggestion that instead of the triangular landscaping area coming to points they make round areas similar to two bites being taken out of the side of a piece of cheese. He also asked that the added Condition 2 be changed to require that the trees be maintained for adequate sight distance in perpetuity. SP DiDonato stated that perhaps standard conditions of approval language could be inserted. Commissioner Frautschi thanked the applicant for reducing the number of units and felt that the project will be far more livable for the folks that live there and will have far less impact on the surrounding neighbors.

Commissioner Mercer concurred that they need to do something to block vehicular access into Unit B, and suggested that Planning staff go back to Public Works and see about extending the bulb. She concurred with Commissioner Parsons that sidewalks to Unit A and B need to be broken through the hedge and suggested that something solid such as a decorative boulder or vine-covered split rail fence be put in the small planter – something other than a hedge that is going to die or can easily be walked through. She had some reservations about the tree species in the bulb-outs but acknowledged that they can be replaced if they do not thrive.

Vice Chair Mayer stated that he could make the findings with all of the suggested conditions.

MOTION: By Commissioner Frautschi, seconded by Commissioner Parsons, approving the Final Landscape Plan for the vacant property on Carlmont Drive (Appl. 2008-0006) with the following added conditions:

- 1) Consultation will be sought with Public Works about extending the bulb-out area to block the entrance to the drive at Unit B.
- 2) Consideration of installing landscape boulders in the 2' landscaped area.
- 3) Breaking up the landscaping to provide visual direct path access to the front doors of the units.
- 4) Additional language about maintenance in Condition 2.

Ayes: Frautschi, Parsons, Mathewson, Reed, Mercer, Mayer, Horton

Noes: None

Motion passed 7/0

Chair Horton stated that this item may be appealed within 10 calendar days.

6. PUBLIC HEARING

6A. PUBLIC HEARING – 2819 San Juan Boulevard

To consider a Single Family Design Review to construct a new 3,447 square-foot single-family residence on

an existing vacant lot that is below the zoning district permitted 3,500 square feet for the site. Appl. No. 2008-0043 (Continued from the March 3, 2009 Planning Commission Meeting)
APN: 043-322-330; ZONING: R-1B (Single Family Residential)
CEQA Status: Categorical Exemption per Section 15303
APPLICANT: Hashim Al-Yassin, Architect
OWNER: David Dalo
PROJECT PLANNER: Jennifer Walker, (650) 595-7453

AP Walker summarized the staff memorandum, calling attention to the changes that had been made since the first Public Hearing. She responded to Commissioners' questions that she had received prior to the meeting regarding retaining walls, sidewalk and tree species, and stated that staff supports the project revisions and recommended adoption of the Resolution and revised Conditions of Approval.

Commissioner Parsons had questions about the trash enclosure, lawn, and material of retaining walls that were deferred to the applicant, and noted that the double trees in front will need to be protected if sidewalks are required.

Responding to Commissioner Frautschi's question regarding the potential for requiring completion bonds for the entire project, CA Zafferano stated that typically such bonds are required only to insure that public improvements, if any, are constructed since there would be a loss if the public improvements were not constructed. If the private improvements are not constructed, the theory is that there is no public loss if the house is never built. He reminded the Commission that Belmont has a new time limit ordinance for construction projects, wherein after a certain time, code enforcement would occur. He added that the City's interest is in making sure that if a project is constructed it is constructed according to the plans and specifications and conditions of approval and its interest is in making sure that any public improvements are done in connection with that project. He did not believe the City could force a private applicant to build a project that they've applied for; instead the project permit would lapse and the applicants would lose their right to build and would have to reapply at some time in the future. Responding to Commissioner Mathewson's request that the City Attorney think about what further mechanism might be available to the City for projects that have lapsed and are eye sores, CA Zafferano recommended that they identify what particular projects he was referring to, check the permit dates and whether they fall under the new construction time limit ordinance or some other ordinance, and then ask staff to follow up.

Commissioner Reed thanked AP Walker for including the arborist's recommendations in the Conditions of Approval.

Chair Horton asked if there was anyone from the public who wished to speak on this item. No one came forward to speak.

Responding to Commissioner Parsons' questions, Hassim Al-Yassin, applicant, stated that the trash enclosure will not include a gate and it will be made of wood, and the decorative walls and stairs will be faced with stone.

Commissioner Frautschi questioned Mr. Al-Yassin about the difference in the amount of hardscape in this new design compared to the previous submittal, and asked him why he had put a brick pad next to the driveway. Mr. Al-Yassin responded that softscape is 58% of the lot, but that he had not done a calculation for the previous design. He believed that the brick area would provide continuity and access from the garage to the house without going beyond the property line. Commissioner Frautschi thought the space was a huge expanse of brick that needed to be changed and could be an opportunity for additional landscaping. He also questioned the color of the brick and felt that it did not fit in with the design. David Dalo, property owner, stated that any color brick could be used, perhaps one that matches the finish of the house. Commissioner Frautschi asked why the applicant chose to keep the huge deck areas in front of the house. Mr. Al-Yassin responded that they could not push the bedroom out as had been suggested because it would increase the square footage of the house, and that they would use greenery on the decks to provide a continuation of the landscaping. Further responding to Commissioner Frautschi, Mr. Al-Yassin stated that the only change they made to the house was the entry sidewalk and that he had told the landscape architect that all plant materials must be drought resistant.

Commissioner Mercer asked the applicant if handrails would be necessary because of the drop-off, reminding that the Commission had encouraged him to redesign the front entryway to get it down to grade so that visually detracting handrails would not be needed. Mr. Al-Yassin responded that the planter boxes will bring it to the same level as the landing and will step up as the stairs go up so that handrails will not be needed.

AP Walker responding to Commissioner Mathewson's questions as follows: 1) The driveway is 20' within the property and 10' on public right-of-way. 2) The on-grade patios contributed a significant amount of hardscape but incorporating green into the design took out the expanse of concrete from the back yard. 3) The majority of the issues raised by the City's consulting geologist had to do with wanting more structural information on the existing wood retaining walls crossing the rear property line. If they are not appropriate, the rear wall will likely need to be designed to make up for their removal. 4) In the revised Conditions of Approval, Planning Division Sections 12(a) and 12(b) are duplicates and will be deleted.

Commissioner Mathewson determined that the arborist's earlier recommendation that the ivy be removed from the side of the Oak tree had not been carried out, and stated that that condition needs to be followed through on to protect the life of the tree.

Commissioner Mercer commented as follows: 1) The trash area either needs to be pushed back behind the front line of the garage or it needs to have a gate in front of it. 2) There are not enough permeable surfaces. If the 2 large back patios are set on concrete they are still impervious and the San Juan Canyon is a very sensitive area for water runoff. The size either needs to be reduced or they should be made of flagstone or something set in sand and filled with moss or something similar. She felt that with today's products all the pathways and patios could be built with permeable materials. 3) The design style is confusing. She thought the applicant was going for a contemporary look with the round window and arch over the entryway, but the stone façade on the retaining walls and colonial red brick on the pathways creates competing visual looks. She wanted to see a pallet that shows consistency in style. She suggested making the paths of compressed granite, possibly with a few inlaid steps. 4) She had no problem with the revised front entry so long as staff can confirm that it will not need a railing. 5) The 10 trees that are being removed include 3 Oaks, and no large native species have been proposed to replace them. In addition to all of the other trees that are being proposed, these trees need to be replaced with a minimum of 3 large-crowning, native, drought-tolerant trees – something that will help restore the tall tree canopy that is the natural vegetation of San Juan Canyon.

Vice Chair Mayer liked the design of the home, the revised landscaping, and the new stairway in front, but agreed that they should use permeable pavers instead of the red brick walkways and sidewalks going up, and concurred about the trash enclosure. Other than that he could make the findings.

Commissioner Frautschi commented as follows: 1) Referring to the arborist's report, which stated "The applicant's tree species palate will not significantly benefit the site in terms of wildlife value or real long term tree value. It will also not benefit the site in terms of mitigation for loss of trees..." he would like to see something come back to the Commission that shows what trees they are putting in where in order to address this comment by the City arborist. 2) Would like to see a better paving material that would tie in with the design rather than red brick and suggested that they choose something that they can lay down on a surface that makes it permeable. 3) Did not think grass between the patio areas was practical. 4) Confirmed with AP Walker that changes had been made to the Resolution, since as they did not receive a revised version. 5) Asked for the following edits to Exhibit A:

- o Change Condition 7 on page 2, to read "The applicant shall be required to notify all property owners/residents in writing..." "... such written notification..."
- o Condition 8, second sentence, change "stones" to "stone"
- o Condition 9, hyphenate "right-of-way"
- o On page 6, (j) Landscape Plan Modifications, delete "straight species"

6) Did not like the brick at the very front part of the property – would rather see it landscaped. 7) Supported moving of the trash enclosure. 8) At least 3 native species Oaks need to be included. He could support the plan if they bring back a sample of the paving material and an indication of exactly what tree species they are changing and where they are going.

Commissioner Reed concurred with the issues of the brick, the drought-tolerant plants, the 3 native Oaks – and the trash enclosure. He commended the applicant for spreading 50% of the cut on the site.

Commissioner Parsons could make the findings for the project, but asked that a Landscape Plan come back to the Commission that would include 1) moving the trash enclosure back so it is out of sight from the street and from the neighbor's side yard, 2) a sample of some kind of unified paving material to be used on the walks and driveway that ties in, 3) the location of the sidewalks, and 4) what effort is being made to preserve the two 24" Oaks that are there. He felt the entrance is a bit strange, but that is the applicant's choice and recommended using pavers rather than concrete.

Chair Horton agreed that the trash enclosure does not comply with the code and that there are a lot of different surfaces on which to drive and walk that she felt should be organized to be similar or the same. She concurred that a Landscape Plan should come back to the Commission in this case, and that the landscape architect must be available at the meeting to answer questions and understand what is being said.

With respect to the grading, Commissioner Mercer added that she appreciated the applicant's efforts in reviewing the grading and that they intend to distribute 50% of the cut onto the site. She suggested the addition of a condition requiring that that happen rather than that they will try to accomplish it.

MOTION: By Commissioner Mercer, seconded by Vice Chair Mayer, adopting the Resolution approving a Single-Family Design Review for 2819 San Juan Boulevard (Appl. No. 2008-0043) with the revised Exhibit A, and the addition of the following conditions:

- 50% of the net cut material will be distributed and retained on site, if acceptable to the geologist.
- A revised Landscape Plan will be returned to the Commission with the architect present at the meeting to discuss features.
- The revised Landscape Plan shall include:
 - o Relocation of the trash enclosure to behind the front setback of the garage
 - o Samples, colored chips or at least photos of the materials to be used on the stone facings and the hardscapes to indicate their cohesiveness.
 - o Indication that all of the walkway surfaces will be of a permeable nature.
 - o Indication of the replacement of the City sidewalk at the front of the property and the extension of the landscaping up to that sidewalk
 - o Indication that the 2 existing Oaks in the front will be retained.
 - o Placement of a minimum of 3 additional tall-crowning native species as part of the 24" box trees currently proposed.

Ayes: Mercer, Mayer, Mathewson, Reed, Frautschi, Parsons, Horton

Noes: None

Motion passed 7/0.

Chair Horton noted that this item may be appealed within 10 calendar days.

7. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

7A. Motel 6 – 1101 Shoreway Road
No update at this time.

7B. NDNU (Koret) Athletic Field
No update at this time.

7C. Charles Armstrong School – 1405 Solana Drive
Still trying to schedule a next meeting with school personnel, neighbors and city staff to talk about the adjacent McDougal field and alternatives associated with that field. Should be scheduled within the next 3 to 4 weeks.

7D. Ralston/US-101 Landscape Project
No update at this time.

7E. San Mateo Development – North Road/43rd Avenue
A meeting that had been scheduled by one of the property owners to review a few ideas was cancelled. He will let Commissioners know when that meeting is re-scheduled. Commissioner Parsons reminded that he had asked that CDD de Melo talk to the City Manager about the other properties.

7F. 900 Sixth Avenue – Belmont Vista Facility
No update at this time.

7G. Caltrain Landscape Area
No update at this time.

7H. Parking Study – Downtown Village Areas
SP DiDonato has indicated that all of the data has been collected for all of the downtown areas in terms of parking counts and is currently working with the Information Services Department to prepare tables to document all of the available parking during various times. He expects to have those tables completed by the end of May.

7I. High-Speed Train (HST) Project – San Francisco to San Jose
There was a well-attended town hall meeting on April 23rd sponsored by Assemblyman Jeremy Hill. The meeting was informational to describe the process. No new details were given about the project because it has not yet been designed. They are now at the point where all of the scoping comments have been received and they are preparing a scoping document for the Environmental Impact Report. It will be a number of months before that document is available in that there are many questions about whether the train will be above ground or below ground.

Other Items

The May 19th meeting will be relatively light but the June meetings will be heavy with policy matters. The first June meeting will include a draft of the Zoning, General Plan and Downtown Specific Plan amendments for the Belmont Village Properties and at the second meeting in June will include the Draft Housing Element.

Commissioner Frautschi mentioned that graffiti is still on the buildings that are visible from O'Neil Street.

Commissioner Frautschi asked that staff provide an update at the next meeting on what is happening with the 900 South Road single-family project.

9. CITY COUNCIL MEETING OF TUESDAY, MAY 12, 2009
Liaison: Commissioner Parsons
Alternate Liaison: Vice Chair Mayer

8. ADJOURNMENT:
The meeting was adjourned at 8:29 p.m. to a Regular Planning Commission Meeting on Tuesday, May 19, 2009 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the
Community Development Department.
Please call (650) 595-7416 to schedule an appointment.